

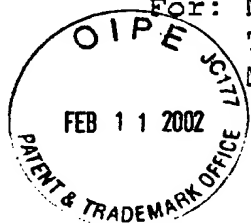
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Art Unit: 2683
Israel RADOMSKY et al) Examiner: C. Tran
Appln. No.: 09/424,727) Washington, D.C.
Date Filed: November 5, 1999) Confirmation No.
For: METHOD AND SYSTEM FOR) ATTY.'S DOCKET: RADOMSKY=2
TRANSMITTING SHORT)
MESSAGES TO A PORTABLE...)

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DECLARATION UNDER 37 CFR 1.132

Sir:

I, Israel RADOMSKY, hereby solemnly declare as follows:

I am co-inventor with Israel ABRAMS and Yossef BRUSLAVSKY of the subject matter described and claimed in the above-identified United States patent application 09/434,727, filed November 5, 1999, entitled "METHOD AND SYSTEM FOR TRANSMITTING SHORT MESSAGES TO A PORTABLE IR TRANSCEIVER".

I am also co-inventor with James L. KATZ, Shlomo YASUR, Joseph Thomas GRACEFFA and Peter Charles SIMPSON of the subject matter of U.S. patent 6,211,790, granted April 3, 2001, based on application 09/314,814 filed May 19, 1999, and entitled "INFANT AND PARENT MATCHING AND SECURITY SYSTEM AND METHOD OF MATCHING INFANT AND PARENT."

The other co-inventors of the application which matured into U.S. patent 6,211,790, namely James L. KATZ,

Shlomo YASUR, Joseph Thomas GRACEFFA and Peter Charles SIMPSON were co-inventors only with respect to features claimed in U.S. patent 6,211,790, and not claimed in the present application 09/434,727.

In this regard, U.S. patent 6,211,790 discloses a dual IR/RF communications system where the primary objective is for the badge to communicate its location to the reader. To this end, an initial communication is made using IR, and if no acknowledgement is received by the reader within a prescribed time, then the badge transmits its location using RF.

The co-inventors of U.S. patent 6,211,790, namely James L. KATZ, Shlomo YASUR, Joseph Thomas GRACEFFA and Peter Charles SIMPSON contributed to the mechanical features of the badge and the concept of infant security, but not to the communications protocol.

In contrast to the invention of U.S. patent 6,211,790, the present invention is directed to the reader communicating a short message to the badge but without requiring the reader to initiate communication, and without requiring the reader to awaken the badge from a dormant state.

While there is commonality between the present application and U.S. patent 6,211,790 as regards the timing diagrams relating to the IR transmission, the invention

claimed in the present application 09/434,727 is distinctly different than the invention claimed in U.S. patent 6,211,790.

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

By

Radomsky
Israel RADOMSKY

Date: 24.01.02